COUNCIL DECISION

of 22 November 2007

on the conclusion of an Agreement in the form of an Exchange of Letters on the provisional application of the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique

(2007/798/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 300(2) in conjunction with Article 37 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Community has negotiated a Fisheries Partnership Agreement with the Republic of Mozambique providing Community vessels with fishing opportunities in the Mozambique fishing zone.

(2) As a result of those negotiations a new Fisheries Partnership Agreement between the European Community and the Republic of Mozambique (hereinafter the 'Partnership Agreement') was initialled on 21 December 2006.

(3) The Fisheries Agreement between the European Community and the Republic of Mozambique approved by Council Regulation (EC) No 2329/2003 [1] is to be replaced by the Partnership Agreement.

(4) In order to guarantee the continuation of fishing activities by Community vessels, it is essential for the Partnership Agreement to be applied as quickly as possible. Both parties have therefore initialled an Agreement in the form of an Exchange of Letters providing for the provisional application of the Partnership Agreement from 1 January 2007.

(5) It is in the interest of the Community to approve the Agreement in the form of an Exchange of Letters.

(6) The method for allocating the fishing opportunities among the Member States should be defined,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters relating to the provisional application of the Fisheries Partnership Agreement between the European Community and the Republic of Mozambique, (hereinafter referred to as 'the Agreement in the form of an Exchange of Letters') is hereby approved on behalf of the Community.

The texts of the Agreement in the form of an Exchange of Letters and of the Partnership Agreement are attached to this Decision.

Article 2

The fishing opportunities set out in the Protocol to the Partnership Agreement shall be provisionally allocated among the Member States as follows:

Fishing Category	Type of vessel	Member State	Licences
Tuna fishing	Purse seine vessels	Spain:	23
		France:	20
		Italy:	1
Tuna fishing	Long-liners	Spain:	23
		France:	11
		Portugal:	9
		United Kingdom:	2

If fishing licence applications from these Member States do not cover all the fishing opportunities set out in the Protocol to the Partnership Agreement, the Commission may consider fishing licence applications from any other Member State.

Article 3

The Member States whose vessels fish under the Agreement in the form of an Exchange of Letters shall notify the Commission of the quantities of each stock caught within the Mozambique fishing zone in accordance with Commission Regulation (EC) No 500/2001 of 14 March 2001 laying down detailed rules for the application of Council Regulation (EEC) No 2847/93 on the monitoring of catches taken by Community fishing vessels in third country waters and on the high seas [2].

[1] Council Regulation (EC) No 2329/2003 of 22 December 2003 on the conclusion of the Fisheries Agreement between the European Community and the Republic of Mozambique (OJ L 345, 31.12.2003, p. 43).

[2] OJ L 73, 15.3.2001, p. 8.

Article 4

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Done at Brussels, 22 November 2007.

For the Council
The President
M. PINHO